

## MINUTES ADOPTED BY CITY COUNCIL

Greenville, NC  
January 8, 2004

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of the Municipal Building, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Reverend Bill Neely of the First Presbyterian Church, and the pledge of allegiance to the flag. The following were present.

Mayor Robert D. Parrott  
Mayor Pro-Tem Ric Miller  
Council Member Mildred A. Council  
Council Member Ray Craft  
Council Member Pat Dunn  
Council Member Rose H. Glover  
Council Member Chip Little  
Marvin W. Davis, City Manager  
Wanda T. Elks, City Clerk  
David A. Holec, City Attorney

### APPROVAL OF AGENDA

Motion was made by Council Member Dunn and seconded by Council Member Little to approve the agenda as presented. Motion carried unanimously.

### SPECIAL RECOGNITIONS

Mr. Pete E. Lavin Jr. was presented a plaque upon his retirement with 29 years and 9 months of service with the Greenville Police Department. Retirement plaques were also presented to Clifton E. Weatherington for his retirement after 34 years and 8 months of service with the Greenville Police Department; and Matthew V. Cleary for his 12 years and 10 months of service with the Greenville Police Department.

### APPOINTMENTS TO BOARDS AND COMMISSIONS

#### Environmental Advisory Commission

Council Member Glover requested that this appointment be continued due to the fact that she has no applicants that meet the criteria for the "lawyer" slot.

### Firemen's Relief Fund Committee

Motion was made by Council Member Dunn and seconded by Council Member Little to reappoint City Clerk Wanda Elks for a sixth two-year term expiring January 2006. Motion carried unanimously.

### Historic Preservation Commission

Motion was made by Council Member Council and seconded by Mayor Pro-Tem Miller to reappoint Minnie Anderson for a second three-year term expiring January 2007; to appoint Rick Smiley for a first three-year term expiring January 2007 replacing Candace Pearce, who is ineligible for reappointment; and to reappoint Cynthia Tyson for a first three-year term expiring January 2007. Motion carried unanimously.

### Public Transportation and Parking Commission

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Miller to appoint Ashley Fenner for a first three-year term expiring January 2007 replacing Ellen Flanagan, who is ineligible for reappointment and to reappoint Steven Krpata for a second three-year term expiring January 2007. Motion carried unanimously.

### ORDINANCE REZONING THE ESTATE OF EDWARD WARREN PROPERTY LOCATED SOUTHEAST OF THE INTERSECTION OF FROG LEVEL ROAD AND DAVENPORT FARM ROAD FROM RA20 AND O TO R6A AND R9S - ADOPTED

City Manager Marvin Davis reported that a notice of public hearing was published in The Daily Reflector on December 29, 2003 and January 5, 2004 setting this time, date and place for a public hearing to consider a request by the estate of Edward Warren to rezone 69.425 acres located southeast of the intersection of Frog Level Road and Davenport Farm Road from RA20 and O to R6A and R9S. At its December 16, 2003 meeting, the Planning and Zoning Commission voted to recommend approval of the request. The Council voted on January 5 to remove one of the lots. There is a valid protest petition for this property.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and stated that the property fronts Davenport Farm Road. Twenty-two acres are proposed to be rezoned to R6A, which allows a wide range of detached and attached dwellings at a reduced density. The remainder of the tract is proposed for R-9S. The majority of the property is currently zoned RA-20 except for the immediate intersection, which is zoned Office. These two tracts were zoned Office in conjunction with the Neighborhood Commercial zoning at the intersection and part of those office areas are proposed to be rezoned to R-9S. A creek borders the southern portion of the property. There is a floodplain and wetlands associated with a creek. Wetlands and the 100-year floodplain coincide with the vegetation. Augusta Trails, a duplex subdivision, is located to the north off Frog Level Road. A number of subdivisions have been approved for development in this area. A cluster subdivision is being developed to the west of Frog Level Road. A standard subdivision including commercial and multi-family is being developed to the north of Davenport Farm Road. Several large subdivisions back to the northeast along Langston Road. There is a single-family subdivision being developed at the intersection of Forlines Road-Frog Level Road.

This is one of the fastest growing areas if looked at based on preliminary plat streets in the entire city. The extraterritorial jurisdiction was extended in this area several years ago as part of a sewer test project, which has stimulated a lot of growth. It is anticipated that there will be sustained growth in this area in the future. The original request proposed that 46 acres be rezoned to R-6A and 23 acres for R-9S. The applicant submitted a revised petition this fall which was considered by the Commission and recommended for denial in October. The applicant had reduced the proposed R-6A zoning from 46 acres to 37 acres, including a 21-acre tract for R-6S zoning and reduced the R-9S zoning. When the request was presented to City Council, the owner requested that it be returned to the Planning and Zoning Commission for consideration of an amended petition. The amended request is for 22 acres of R-6A versus the original 46 acres.

Mr. Hamilton stated that the current average daily trips (ADT) on Frog Level Road is 4300 trips per day. The current ADT on Davenport Farm Road is 5100 trips. The design ADT is be 12,000 trips per day and is proposed for a multi-lane curb and gutter street. Because the proposal to rezone to R-9S in the western portion of the tract and its direct access to Frog Level Road, staff does not anticipate any additional traffic related to this development over the current zoning. It is anticipated that 300 additional trips would be generated by the medium density multi-family and it has direct access to Davenport Farm Road. Staff anticipates an interconnecting street system that would connect with Tract 2 to provide access through to Frog Level Road but the majority of trips would be east on Davenport Farm Road. With the proposed increase in traffic, it is staff's opinion that the streets can handle the increase that would be generated. Road improvements such as turn lanes will be required to mitigate traffic depending on the type of development. The request is in general compliance with the Land Use Plan Map.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Mike Baldwin, representing the petitioner, stated that the property is under contract with a builder. The adjoining property owners have been notified several times. It is requested that 2/3 of the property be zoned to R-9S, which is basically what is there. Rezoning the property will only help with the setbacks. If the property is developed, it would have 184 cubic feet of run-off per development. Left turn lanes will be provided by the developer.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Little and seconded by Council Member Council to adopt the ordinance rezoning property acres located southeast of the intersection of Frog Level Road and Davenport Farm Road from RA20 and O to R6A and R9S. Motion carried unanimously. (Ordinance No. 04-03)

ORDINANCE REZONING FIELD OF BEANS, LLC PROPERTY LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF ALLEN ROAD, SOUTH OF TEAKWOOD SUBDIVISION AND NORTH OF DICKINSON AVENUE EXTENSION, FROM RA20 AND R6S TO R6 AND R6A - ADOPTED

City Manager Marvin Davis reported that a notice of public hearing was published in The Daily Reflector on December 29, 2003 and January 5, 2004 setting this time, date and place for a

public hearing to consider a request by Field of Beans, LLC to rezone 17.389 acres located along the western right-of-way of Allen Road, 350± feet south of Teakwood Subdivision and 3,000± feet north of Dickinson Avenue Extension, from RA20 and R6S to R6 and R6A. At its December 16, 2003 meeting, the Planning and Zoning Commission voted to recommend approval of the request.

Mr. Harry Hamilton, Senior Planner, delineated the property on a map and stated that this request is to rezone three tracts from RA-20 and R-6S to R-6 and R-6A. A reserved strip of R-9S zoning has been set aside to accommodate single-family dwellings adjacent to Teakwood Subdivision. There have been recent rezonings in this area with the same pattern installed to provide buffer to Teakwood. This request was previously before the City Council and was returned to the Planning and Zoning Commission to consider an amended request. Staff's previous concern was the area proposed for high density encroached into the area north that was not in basic alignment with the previously approved request for higher density development transitioning to medium-density and then to single family. The applicant has revised the plan to allow for medium-density multi-family in the area adjacent to the R-6S area and then higher density to the south. The proposal is a decrease in the amount of traffic that would be attributed to the site. The maximum density for Tract 1 would be 75 units at 17 units per acre, combination of one and two bedrooms. For Tracts 2 and 3 that are proposed for R-6A zoning, the maximum density at nine units per acre would generate 100 multi-family dwellings. The request is in general compliance with the Land Use Plan and does mirror the request to the east that was previously approved.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Mike Baldwin, representing the petitioner, reminded the Council that this request is in general compliance with the Comprehensive Plan.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Council and seconded by Council Member Craft to adopt the ordinance rezoning 17.389 acres located along the western right-of-way of Allen Road, 350± feet south of Teakwood Subdivision and 3,000± feet north of Dickinson Avenue Extension, from RA20 and R6S to R6 and R6A. Motion carried unanimously. (Ordinance No. 04-04)

REQUEST TO REZONE H. J. BRODY C/O BRODYCO AND BIRDNECK POINT, LLC  
PROPERTY LOCATED ALONG THE SOUTHERN RIGHT-OF-WAY OF NC HIGHWAY 33  
(TENTH STREET) AND WEST OF OXFORD ROAD FROM RA20 TO R6 AND R6A -  
DENIED

City Manager Marvin Davis reported that a notice of public hearing was published in The Daily Reflector on December 29, 2003 and January 5, 2004 setting this time, date and place for a public hearing to consider a request by H. J. Brody c/o Brodyco and Birdneck Point, LLC to rezone 44.8416 acres located along the southern right-of-way of NC Highway 33 (Tenth Street) and 600± feet west of Oxford Road from RA20 to R6 and R6A. The Planning and Zoning Commission, at its December 16, 2003 meeting, voted to recommend approval of the request. A protest petition was submitted for this request; however, it was determined to be invalid.

Motion was made by Council Member Council and seconded by Council Member Craft to excuse Mayor Pro-Tem Miller from voting on this request due to a conflict of interest. Motion carried unanimously.

Upon being asked to clarify the usable density on Pirates Cove, Mr. Hamilton explained the density of that development, which is zoned R-6A. It contains 266 units, which is ten four-bedroom units per acre. If the gross acreage is included, it is a little over six units per acre.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and stated that this property fronts on Highway 33, and there is no opportunity for driveway or street connection to Moseley Drive or to the Eastwood area or Brook Valley. Access to this site will be via streets or driveways with direct access to Highway 33. To the north of the property is Pirates Cove and Courthouse Square Apartments, to the south is Eastwood Subdivision, to the east is Brook Valley Subdivision and single-family residences and to the west are duplexes on Moseley Drive. The anticipated density for Tract One (41.9 gross acres) proposed for R-6 with a maximum of 17 units per acre with a combination of one and two bedrooms would be 686 multi-family units. Anticipated development would be less at approximately 14 units per acre, 565 multi-family dwellings. Tract Two is a narrow strip of property adjacent to the floodplain area that is not developable. The R-6A and R-6 categories are not mutually compatible. Density cannot be transferred from R-6A to R-6 areas. If the tracts were developed under R-6A, which the Comprehensive Plan generally recommends, it would yield approximately 340 to 360 dwellings. This is a 200+ addition if developed under the highest density category. If developed under the current zoning, cluster subdivision development, it would yield 170 single-family cluster units. There is a new development under construction, River Pointe, with 180 units located behind Hastings Ford, Campus Pointe Apartments located north of Rivergate with 84 units, Riverbluff with 250 units, Pirates Cove student housing, with 266 four-bedroom units, Sterling University, student housing with 168 acres, and Eastgate with 150 units, making a total of 1098 multi-family units in this area. NC Highway 33 is a thoroughfare and has been upgraded to a five-lane curb and gutter road. The current average daily trips (ADT) is 18,000. The design ADT is 35,000 trips, and the traffic is currently below the design ADT. There is a significant commuter congestion problem on NC Highway 33. The current zoning would generate 1300 trips per day, and the proposed zoning would generate 3600, an increase of 2300 additional trips. The two developments in the area have been built as land use intensity projects and others are standard built and cater to the students. Many of the students ride the ECU bus. A project of this size and the traffic that could be generated at this site would be a concern with respect to the congestion and backing up of traffic along NC Highway 33. In order to take vehicles on the road and turn to the west, they would have to cross traffic. Signalization intersections are located at Oxford Road and Greenville Boulevard. At the time of development, staff would require a traffic impact report be submitted to determine what type of mitigation may be necessary. The property contains wetlands and these areas have been delineated. The land use plan map recommends medium density and, in staff's opinion, the request is not in compliance with the land use plan.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Phil Dixon, representing H. J. Brody c/o Brodyco, stated that the Brody family has 57 acres but this request is for 44 acres. There are 13 acres to the south of this property that the owner plans to put into a conservation easement. The community has a dilemma facing it with the

increased growth of students at the university and the lack of student housing. Initially, the Board of Trustees decided they were going to try to maintain 30 percent of the housing for the students on the campus and let the private sector provide housing for the other 70 percent. The new residence hall that will be constructed at College Hill will be the last dormitory built on campus. The Board of Trustees have decided it is better to have private developers to provide housing. The public housing for students should be located within close proximity to the university, on a major thoroughfare, on the existing campus bus routes, near open spaces and park areas and where it does not adversely affect adjoining property owners. There is a certain amount of buffering that will take place by the zoning of Tract 2. In addition to the direct access to the major thoroughfare, there is no routing of traffic planned through any adjoining neighborhoods. The Brodys and their representatives have met with residents of Eastwood Subdivision and Brook Valley. They have established significant buffering along with a conservation easement that is proposed that they believe will have a dramatic impact on the way things are.

Mr. Jon Day, speaking on behalf of H. J. Brody c/o Brodyco, explained how he met extensively with neighbors to address their concerns. There are 43 property owners that surround this property and they have all been contacted. After meeting with residents on Christenbury Drive, a 180-foot buffer was proposed behind their residences and an additional evergreen buffer adjacent to any buildings to provide additional screening. Even though this request is not in compliance with the Comprehensive Plan, it will be better to rezone the property than to have it developed with its present zoning because of the proposed buffer.

Ms. Marjorie Harris of 3340 East Tenth Street stated that she has met with Mr. Day and Mr. Brody, and they have answered her questions satisfactory. She is comfortable with the request and is in favor of the rezoning.

Mr. Rick Smiley of 102 Christenbury Drive stated that it is inevitable that the land will be developed. The other alternates could be more intensive. The developer has worked with the neighbors to minimize inconvenience to them. This is the kind of project that will best serve everyone involved.

Mr. Alan Hayes of 501 Kent Road stated that it would be worthwhile to go ahead and let Mr. Brody develop this property as proposed.

Mr. H. J. Brody stated that his parents live in the neighborhood, so he is very sensitive to the surrounding property owners. The land use plan calls for medium density. Even though the proposed development is greater than medium density, it is less than high density. He is proposing one, two and three bedroom units. He commits to developing with sound drainage practices and has made efforts to work with the neighbors and staff to go about this in the right way. An attempt has been made to contact all neighbors and listen to the neighbors.

An unidentified citizen addressed the Council about the water runoff from this project. Brook Valley currently has a major water problem. There is also a traffic problem in this area. There have been eight major accidents in the Pirates Cove area. To increase the traffic would be detrimental to people traveling in the area.

Dr. Eric Brestel of 106 Christenbury Drive, informed the Council that if this property is rezoned, there is no guarantee who will develop the property. It can be sold. Three members of the Planning and Zoning Commission voted on it because of the Brody reputation, and Mr. Brody may not be the developer. He presented documentation regarding health issues in and around wetlands. (Document 04-01)

Mr. Wally Bauer of Brook Valley stated that this is an environmentally sensitive area. Stormwater will be significant, and no one knows how it will affect Meeting House Creek. There are three significant outlets that cross the property as well as Meeting House Creek that borders it. Mr. Bauer questioned who would maintain the conservation easement. There will only be one entrance off of NC 33, and that is in a curve where visibility is poor.

Mr. Coolidge of Lakewood Pines requested that the Council consider the Horizons Plan and decide what it wants to do about the floodplain. Don't make any decisions tonight. He would like for the Planning Department to stand up for the neighborhoods. Do what Gates and Alamance Counties did and not approve any development until we know where we want to go.

Ms. Elaine Brestel of 106 Christenbury Drive, informed the Council that there are two apartments already there. Pirate's Cove has built Phases 1 and 2, but not 3. With the addition of 2800 people, there will be 2800 additional cars. Getting out of this development will be a nightmare. Also, it is in front of the Fire Department, so that response time will be increased. Her house is 180 feet from this development, which is intended to be three stories. She is also concerned about the noise.

Mr. Edgar Wall, a real estate broker, explained how Greenville is saturated with multi-family dwellings and cannot support additional developments.

Mr. Wiley Corbitt stated that this creates a traffic issue. They will have to take a left out of the development. People will go to Brook Valley and turn around to get to the light.

Mr. Kevin Rhine reiterated that people will turn into Brook Valley to get to the light. Also, water runoff will be an issue and may wash out the bridge.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Dunn and seconded by Council Member Council to deny the request to rezone 44.8416 acres located along the southern right-of-way of NC Highway 33 (Tenth Street) and 600± feet west of Oxford Road from RA20 to R6 and R6A. Motion carried with a vote of 3:2. (Council Members Little, Council and Dunn voted in favor of the motion. Council Members Craft and Glover voted in opposition. Mayor Pro-Tem Miller had been excused from voting due to a conflict of interest.)

ORDINANCE ANNEXING WILLIAM H. CLARK AND GLORIA E. CLARK PROPERTY, LANGSTON FARMS, PHASE 6, LOCATED NORTH OF NCSR 1134 (THOMAS LANGSTON ROAD), WEST OF NC HIGHWAY 11, AND OFF NORTHERN END OF HONEYSUCKLE DRIVE - ADOPTED

City Manager Davis reported that a notice of public hearing was published in The Daily Reflector on December 29, 2003 setting this time, date and place for a public hearing to consider a request by William H. Clark and Gloria E. Clark to annex Langston Farms, Phase 6, involving 3.6672 acres located north of NCSR 1134 (Thomas Langston Road), west of NC Highway 11, and off the northern end of Honeysuckle Drive. This is a contiguous annexation.

Mr. Merrill Flood, Deputy Director of Planning and Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is for 17 dwelling units. The current population is 0, and the anticipated population at full development is 40, with 13 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Miller to adopt the ordinance annexing Langston Farms, Phase 6, involving 3.6672 acres located north of NCSR 1134 (Thomas Langston Road), west of NC Highway 11, and off the northern end of Honeysuckle Drive. Motion carried unanimously. (Ordinance No. 04-05)

ORDINANCE ANNEXING RALPH C. TUCKER, JR. PROPERTY, TUCKER COMMERCIAL PARK – WHITLEY DRIVE AND PORTION OF CHAPMAN ROAD, LOCATED EAST OF NC HIGHWAY 11 AND 903 (MEMORIAL DRIVE) AND SOUTH OF CHAPMAN ROAD - ADOPTED

City Manager Davis reported that a notice of public hearing was published in The Daily Reflector on December 29, 2003 setting this time, date and place for a public hearing to consider a request by Ralph C. Tucker, Jr. to annex Tucker Commercial Park – Whitley Drive and a portion of Chapman Road, involving 3.1793 acres located east of NC Highway 11 and 903 (Memorial Drive) and south of Chapman Road. This is a contiguous annexation.

Mr. Merrill Flood, Deputy Director of Planning and Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant, and the proposed use is a vacant street. The current and anticipated population is 0.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Little and seconded by Council Member Council to adopt the ordinance annexing Tucker Commercial Park – Whitley Drive and a portion of Chapman Road, involving 3.1793 acres located east of NC Highway 11 and 903 (Memorial Drive) and south of Chapman Road. Motion carried unanimously. (Ordinance No. 04-06)



ORDINANCE ANNEXING R & L LAND DEVELOPMENT, INC. PROPERTY, TABERNA, SECTION ONE, LOCATED ON NORTH SIDE OF NCSR 1128 (DAVENPORT FARM ROAD) AND EAST OF NCSR 1127 (FROG LEVEL ROAD)

City Manager Davis reported that a notice of public hearing was published in The Daily Reflector on December 29, 2003 setting this time, date and place for a public hearing to consider a request by R & L Land Development, Inc to annex Taberna, Section One, involving 18.2605 acres located on the north side of NCSR 1128 (Davenport Farm Road) and 735 feet east of NCSR 1127 (Frog Level Road). This is a non-contiguous annexation.

Mr. Merrill Flood, Deputy Director of Planning and Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is 40 single-family dwellings. The current population is 0, and the anticipated population at full development is 94, with 24 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the ordinance annexing Taberna, Section One, involving 18.2605 acres located on the north side of NCSR 1128 (Davenport Farm Road) and 735 feet east of NCSR 1127 (Frog Level Road. Motion carried unanimously. (Ordinance No. 04-07)

ORDINANCE ANNEXING AJAY T. AND DIPTI K. PATEL PROPERTY LOCATED ON SOUTH SIDE OF NC HIGHWAY 903 AND ON EAST SIDE OF SEABOARD COASTLINE RAILROAD - ADOPTED

City Manager Davis reported that a notice of public hearing was published in The Daily Reflector on December 29, 2003 setting this time, date and place for a public hearing to consider a request by Ajay T. and Dipti K. Patel to annex a portion of their property, involving 0.33 acres located on the south side of NC Highway 903 and on the east side of the Seaboard Coastline Railroad. This is a non-contiguous annexation.

Mr. Merrill Flood, Deputy Director of Planning and Community Development, delineated the property on a map and stated that the property is located in Voting District 1. The property is currently vacant and the proposed use is for a cell tower. The current and proposed population at full development is 0.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Council and seconded by Mayor Pro-Tem Miller to adopt the ordinance annexing a portion of their property, involving 0.33 acres located on the south side of NC Highway 903 and on the east side of the Seaboard Coastline Railroad. Motion carried unanimously. (Ordinance No. 04-08)

## ADOPTION OF "FLOOD LAND REUSE PLAN"

City Manager Marvin Davis reported that a notice of public hearing was published in The Daily Reflector on December 29, 2003 and January 5, 2004 setting this time, date and place for a public hearing on the Flood Land Reuse Plan. At its December 16, 2003 meeting, the Planning and Zoning Commission voted to recommend approval of the request. An extensive document was in the City Council agenda. The purpose of this plan is to consider what types of uses and what types of factors should go into the reuse of property that has been acquired by the City.

Mr. Jason Pauling, Planner II of the Long Range Division of the Planning and Community Development Department, stated that the purpose of the Flood Land Reuse Plan is (1) to inventory properties that the City acquired through the Hazard Mitigation Grant Program as a result of flooding from Hurricane Floyd (2) identify reuses of these properties in accordance with FEMA buyout restrictions (3) to offer guidance to the City and its citizens on proper reuse and maintenance to ensure a much lower threat of flood destruction in the future. Hurricane Flood in mid-September of 1999 was the second tropical storm to hit the area within only a few weeks. After rain from tropical storm Dennis had already filled the Tar River and its tributaries, rainfall from Floyd had nowhere to go except within the 100-year and 500-year floodplain areas. Greenville suffered from the worst flooding in recorded history. Many thoroughfares and access roads to and from Greenville were flooded. Some of Greenville's major recreation and landmark sites were submerged for nearly two weeks. Access to downtown and other parts of South Greenville were blocked off from the north, which hindered access to and from jobs for a lot of people. The River Park North area and some surrounding areas received some of the worst flooding. Many lower income areas such as mobile home parks and other multi-family type uses were relocated within the floodplain areas north of the Tar River. The East Meadowbrook neighborhood was the largest single-family subdivision affected by the flood and received a significant amount of flood damage. Approximately 14% of the total assessed infrastructure value in Greenville contained structures within the 100-year floodplain. Greenville is much at risk of flash flooding and flooding related to natural disasters caused by intense rainfall. The entire City is at or below 25 feet and is relatively flat. A total of 1,893 structures in the 100-year and 500-year floodplain were damaged. Over 60% of the properties that were affected were either multi-family or manufactured typed housing.

Mr. Pauling stated that the Hazard Mitigation Grant Program is a federally funded program where federal funds are used to buy out flooded properties. The goal of this program is to lessen or eliminate the effects of future flooding by removing man-made improvements from harm's way. For citizens to be eligible for this program, the property must contain a residential unit located within the 100-year floodplain. The property must be occupied or be available on the market at the time of the flood and must be damaged to at least 50% of its value and or be declared environmentally uninhabitable. As far as the reuse of these acquired properties, deed restrictions were placed on future uses of these properties at the time of acquisition which states that these properties must serve an open space or recreational function. Such uses may include parks, nature reserves, campgrounds, gardening, etc. No new structures are allowed unless approved by FEMA or used for recreational purposes, temporary parking or storage areas mostly for religious institutions or schools, etc. The most common use is the reversion of property back to its natural state. Residents may also lease properties for the maintenance of properties and use them in accordance with the restrictions of the buyout program.

Mr. Pauling explained the five areas and their potential reuses. He stated that the first area is the River Park North area and the majority of this area was along Mumford Road or Cedar Drive. The most extensive flooding hit River Park North itself and an adjacent mobile home park. Potential reuses as classified in the plan for this area are campgrounds, which are in short supply in Greenville particularly for groups such as the boy and girl scouts, but also for recreational vehicle parks. Several sites in the area could be used to harvest pine straw either as a revenue source or for city landscaping projects. It may be determined that properties adjoining City operational facilities could use some areas as additional parking or for other operations. The City may utilize a site within this area as a training facility for Fire/Rescue and Police Departments. The next area is the Meadowbrook/Hillsdale area. East Meadowbrook is a little plain area adjacent to the Tar River and east of Memorial Drive. Hillsdale is actually located outside the City's limit but within the extraterritorial jurisdiction. A potential use for this area is a city plant nursery so that the City might use this site for the cultivation of trees for beautification projects. Short-term leases have been given to adjoining property owners for about a five-year timeframe in order to monitor that these properties are being maintained. The third area is the Tar River South area, which consists of a mixture of single family and multi-family uses. It is a very urban area consisting of students and the faculty of East Carolina University. It is the former site of Tar River Estates, which is the most significant multi-family area affected. This area could offer substantial open space for outdoor activities including picnics, walking trails, dog parks, etc. This area could be used as a possible site for athletic fields for use by the University, others or the City. The Greenway Comprehensive Plan indicates that the South Tar River is a major greenway corridor. The City may consider using any of the buyout properties to achieve this goal. There is already some street network already in place, which makes any potential reuse low cost. The infrastructure is in place. The area next to the river is a potential greenway site, riverbank, or walkway. Former River Drive is in this area and is a path for a potential greenway. The Port Terminal area consists of severe wetland properties, most of which were already under City ownership. The properties near the boating access ramp could be potential sites for picnics or fishing. The Greenway Comprehensive Plan also has a corridor in this area as well. The last area, scattered sites, are single properties that are geographically unrelated which have been affected or damaged more severely than their neighboring properties. Potential uses for these properties are buffer, reverting some of these properties to natural state creating buffers between uses, between private residences, and major thoroughfares.

Mr. Pauling concluded by stating that this plan is a flexible document. Its purpose is to guide the City and public on proper reuse of the numerous properties acquired through the buyout program. This plan will be used a workbook to determine the best uses of the properties to meet the City's needs, to lease to adjoining property owners and in order to maintain them in accordance with buyout property and deed restrictions.

The following questions were asked and responses given.

Will the Council make a determination on how to proceed.  
(RESPONSE: The plan provides a framework.)

Will the leases be presented to City Council?

(RESPONSE: Authority to approve leases has been delegated to the City Manager. If there is a question about whether a property would have long-term value on an overall project, staff would have discussions with a property owner. Also, the lease has a notice provision in it that the City can give a notice and it can be used for a greater purpose if that is the case. A number of these properties are like this. Council already had an interest in those and staff has done mailings to people asking them to indicate their interest.)

Has the Council passed the ordinance that gave the City Manager power to lease the properties?

(RESPONSE: The resolution that Council considered and adopted just related to the leasing of the properties and gave the City Manager the authority to do it. That is really the only component Council has addressed.)

What does the plan do?

(RESPONSE: The plan is not a legal plan. It is a public document that sets the framework to go by. The City Council has had these discussions and the Council has not adopted anything to say this is the framework or the kinds of things that Council is going to consider.)

Has a public hearing been held?

(RESPONSE: No.)

Is there a listing of the people who have responded to the things that they want to do possibly with the areas?

(RESPONSE: Staff has a listing of individual persons who may want to lease the lot beside them. Staff does not have any interest for an organization to come forward and have a boy scouts camping area and any of those specific proposals. If the Council considers adopting this plan, the Council would tell the public and those kinds of organizations that Council will receive their proposals and gauge them according to the plan.)

Does that eliminate people who live in the area who want to get a piece of property beside them for gardening, etc.? There are a very few people living in the area and they should have first choice.

(RESPONSE: Council's policy when the resolution was first passed was for the people who lived adjacent to the property would have first choice of refusal before leasing the properties to anyone else. In order to be eligible, their property would have to abut the properties in order to lease them. Adjoining property owners have been written to and notified about the availability of the property.)

Can Council get a list of the people who received the mailings?

(RESPONSE: Yes. Staff has had 25 to 30 requests for leases and lease applications have been mailed. The information is getting out there. Staff has leases that are being considered now for about 25 to 30 properties.)

Do people who lived in the areas during the past know about this?

(RESPONSE: During the initial meetings about the Flood Hazard Reuse Draft Plan, staff followed up with people, mailed some requests out and staff will continue to do so after this process.)

City Manager Davis stated that the uses of this property would be for yards, gardening and those kinds of things. Restrictions have been placed on the properties by the buyout program and FEMA, requiring that people cannot build back there.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Vince Bellis of 1205 East Wright Road and former Chairman of the Greenville Greenway Committee stated that he is very positively impressed by this report. It sets out a variety of uses that are compatible with the FEMA requirements. Mr. Bellis questioned whether the alternate potential uses were listed in any particular order.

City Manager Davis responded that the potential uses were listed at random. That was not a priority listing.

Mr. Bellis stated that it looks as if there is going to be quite a bit of property that either the City is going to manage and maintain or private individuals are and it can be an extremely expensive operation for the City. He believes that is the reason for the leasing, but there are two sorts of properties. There are properties adjacent to existing landowners and he can see how many of them would want to take lease on that piece of land for gardens, etc. There are some other areas that are much larger (i.e., the South Tar River area). He noticed that there are four categories of potential use listed for that area. He recommends the first one highly and that is open space/passive recreation, which is a very good use for that area in terms of public use. The second use listed for that area is ballparks. The plan states that the Greenville Recreation Department at this time does not feel a pressing need for additional ballparks. It does not look like that particular use would be likely to come up. The third use is the potential use by the East Carolina University. He heard this evening that the University has already acquired land out on Highway 33. He is wondering whether the City has contacted the University to see if it has any interest in the land.

City Manager Davis responded that staff has contacted the University regarding this land and has had discussions as to their interest. There is an additional restriction on this particular piece of property that does not allow lighting. This is unique to this piece of property and it was required for the transaction to be completed. That was one detriment to the University for further considering it, but they have not still ruled out additional recreation joint uses or joint development down the road.

Mr. Bellis stated he is glad to hear that because one of his concerns is that if the University acquires the land and then acquires the responsibility for managing it, he can imagine that it might be very difficult for public access. If the University does acquire the land, he would like to see that the facilities be made and used by the citizens of Greenville. There is a provision in the Meadowbrook area for a city tree nursery. He would like some consideration to be given for designation of an arboretum with some of that property being set aside for the growing of specimen trees. It might be possible to cooperate with the Agricultural Extension Service. It would be an area that will be designated as a future arboretum and then allow the public to contribute to the development of that arboretum.

Mr. Chris Mansfield who lives in the neighborhood and works for the University urged the Council to talk to his neighbors before the Council gives the property to the University. The Tar River Neighborhood Association (TUNA) could have some ideas about how that might be developed and have some input into Council's plans. He would be concerned about it not being public if the University acquires the property. The flood was a disaster and the rainbow was how they as a community came to deal with the flood. This might be the pot of gold at the end of the rainbow and he does not want the City to give it away.

Ms. Noria Namaz of 1816 Battle Street stated that she loves to fish. She feels that everybody in her area loves to fish because she sees them going down by the river. She is hoping that the Council will take in consideration setting off some of this land for catfish or trout fishing. This area would also work very well for girl and boy scouts and 4-H Club activities. She has been to Atlanta and Marietta, Georgia and has seen how they have developed the Chattahoochee River area. They have set aside areas for canoeing and kayaking along the river without disturbing the natural bank line of the rivers. There are trails that they have filtered in with concrete in some places. It would be really beautiful to go there and do that. It would be a good opportunity for this area and for people who love to fish in this area.

There being no further comments, the public hearing was closed.

Council Member Dunn questioned whether Council could incorporate the suggestions that have been made at the meeting tonight.

City Manager Davis responded that was the reason for the public hearing. This is called a draft plan and those comments can certainly be incorporated.

Motion made by Council Member Dunn and seconded by Council Member Craft to adopt the Flood Land Reuse Plan with the addition of the two suggestions. Motion carried unanimously. (Document No. 04-02)

#### CONSIDERATION OF INVITING EAST CAROLINA UNIVERSITY TO CO-HOST THE INTERNATIONAL FESTIVAL - APPROVED

Council Member Dunn requested inviting East Carolina University to co-host the International Festival, which would be an enhancement.

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Miller to invite East Carolina University to co-host the International Festival. Motion carried unanimously.

#### AUTHORIZATION OF GRANT APPLICATIONS TO NORTH CAROLINA PARKS AND RECREATION TRUST FUND AND LAND AND WATER CONSERVATION FUND

Mr. Boyd Lee, Director of Recreation and Parks, informed the Council that the City has the opportunity to apply for a North Carolina Parks and Recreation Trust Fund Grant. This program (PARTF) provides dollar-for-dollar grants to local governments to acquire land and develop parks and recreational projects that serve the public. The City has received \$500,000 in the past five years from this program. It is now time to apply for the next round of grants. The City's

proposed project includes land acquisition for Guy Smith Park and renovation of the ball field lighting, irrigation, parking, and additional related items. The components of the proposed project are in the master plan and capital improvement plan. There would be three years to complete the project. Approximate costs for the proposed project include \$200,000 for land acquisition; \$120,000 for renovation of the ball field lighting; \$30,000 for renovation of the irrigation systems; and \$150,000 for grading and paving of parking areas and additional related items including landscaping, fencing, picnic area, and improvements to the City pool.

Mr. Lee reported that the City also has the opportunity to apply for a Land and Water Conservation Fund Grant in the near future. Should the Land and Water Conservation Fund Grant be successful, the funds received could be used as a match for the PARTF Grant. Mr. Lee requested authorization to make grant applications to the North Carolina Parks and Recreation Trust Fund and the Land and Water Conservation Fund.

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Council to authorize staff to make grant applications to the North Carolina Parks and Recreation Trust Fund and the Land and Water Conservation Fund. Motion carried unanimously.

#### PRESENTATION OF PLANS FOR NORTH GREENE STREET STREETSCAPE IMPROVEMENT PROJECT

Mr. David Brown, City Engineer, stated that Greenville received an enhancement grant in July 2001 from the North Carolina Department of Transportation for streetscape improvements along North Greene Street beginning at a point north of the Pitt-Greene Street bridges and ending at Mumford Road. The proposed improvements include relocation of overhead utilities to underground, installation of additional street lights, installation of sidewalk along both sides of the roadway, and installation of street trees and other vegetation. This project is funded through an 80/20 matching grant with the North Carolina Department of Transportation providing \$373,000 (80%) and the City contributing \$94,000 (20%) for a total project budget of \$467,000. The preliminary plans have been completed and reviewed by the Department of Transportation. Staff is now working on the final plans. A portion of North Greene Street is located within the CSX railroad right-of-way. Therefore, plans must be approved by the railroad. Final plans for this project are scheduled to be completed in March 2004 pending review by CSX railroad and the Department of Transportation.

#### RESOLUTION AUTHORIZING A GOVERNOR'S CRIME COMMISSION GRANT APPLICATION FOR THE POLICE DEPARTMENT - ADOPTED

Police Chief Joseph Simonowich stated that staff would like to make a grant request to the Governor's Crime Commission in a collaborative grant effort with the Pitt County Sheriff's Department to acquire technology that will permit secure Internet queries to a host of other law enforcement agencies in North Carolina. This system will allow reciprocal querying of law enforcement databases including such information as name, alias, vehicle, wanted persons, photographs, and partial information queries. This effort would establish an eastern district in an existing statewide network that currently includes over 50 law enforcement agencies in North Carolina and Virginia.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to adopt the resolution approving Greenville Police Department's participation in the North Carolina Governor's Crime Commission for the Eastern Carolina P2P Project. Motion carried unanimously. (Resolution No. 04-01)

ACCEPTANCE OF GRANT FROM FEMA FOR A FIRE/RESCUE TELECONFERENCING SYSTEM - APPROVED

Fire/Rescue Chief Roy Spell stated that staff would like to apply for a 2003 FEMA Assistance to Firefighters Grant to purchase a teleconferencing system with 70/30 funding. Video conferencing will help to reduce instructional time for instructors, provide interaction among participants, reduce travel between stations, and free up time for additional training. Staff can find \$20,000 in its existing budget and requests that the remainder of the funding (\$49,142) come from other City sources.

Motion was made by Council Member Council and seconded by Mayor Pro-Tem Miller to accept the FEMA Assistance to Firefighters grant and approve the required matching funds in the amount of \$69,142. Motion carried unanimously.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS

Council Member Little requested that the Council receive the agendas and minutes for the Planning and Zoning Commission in their packets.

Council Member Little asked that the consideration of a shared leave policy be added to the February agenda.

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Dunn to add the consideration of a shared leave policy to the February agenda. Motion carried unanimously.

Council Member Glover stated that the homeless shelter will be receiving a grant for continuing care tomorrow at 12:00.

Council Member Glover wished everyone a happy new year.

Council Member Council informed the Council that she has information on youth councils and she would like for the Council to review it. She informed the Council that she shared this with the Human Relations Council this week.

Council Member Council stated that there is going to be a bone marrow drive on February 22 from 1:00 to 4:00 in honor of David Banks at Cornerstone Christian Child Care Center.



## CITY MANAGER'S REPORT

### Good News Report

City Manager Davis informed the Council about an incident at Target where a person made inappropriate gestures and touched others and it was recorded on video. Target worked with Crimestoppers and the person was apprehended. This was a good partnership.

### Reminder of City Council CIP Workshops on January 15, January 22, and January 29 at 4:00 p.m.

City Manager Davis reminded the Council of the CIP workshops on January 15, 22 and 29 at 4:00 p.m.

### Report – Martin Luther King Jr. Holiday Activities

City Manager Davis distributed a listing of Martin Luther King, Jr. events that will be going on through the weekend and on Monday.

### ADJOURN

Motion was made by Council Member Dunn and seconded by Council Member Little to adjourn the meeting at 10:15 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda Elks, CMC  
City Clerk